

Louis S. Ederer  
Matthew T. Salzmann  
ARNOLD & PORTER LLP  
399 Park Avenue  
New York, New York 10022  
Phone (212) 715-1000  
Fax (212) 715-1399

*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
SWEET PEOPLE APPAREL, INC. d/b/a MISS  
ME


Plaintiff,

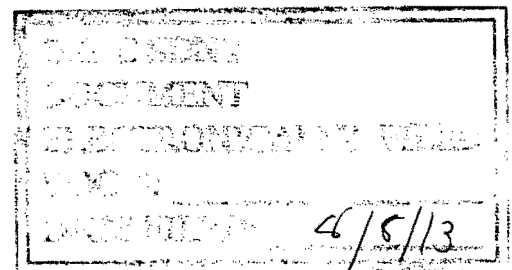
- against -

XYZ COMPANY d/b/a MISSME-JEANS.COM,  
XYZ COMPANY d/b/a  
MISSMEJEANSOUTLET.COM, XYZ  
COMPANIES 1-10, and JOHN AND JANE  
DOES 1-10,

Defendants.  
----- X

Civil Action No. 12 Civ. 7506 (SAS)

  
[PROPOSED] SUPPLEMENTAL  
PERMANENT INJUNCTION  
ORDER



WHEREAS, Plaintiff Sweet People Apparel, Inc. d/b/a MISS ME ("Sweet People"), commenced an action on October 5, 2012 against defendants XYZ Company d/b/a missme-jeans.com, XYZ Company d/b/a missmejeansoutlet.com, and XYZ Companies 1-10 ("Defendants"), alleging that Defendants engaged in acts of cybersquatting, trademark counterfeiting and infringement, false designation of origin, false advertising, deceptive acts and practices, and unfair competition under the Trademark Act of 1946, 15 U.S.C. § 1051, *et seq.* and under the laws of the State of New York; and

WHEREAS, on February 4, 2013, this Court entered, upon a showing by Plaintiff, a Default Judgment and Permanent Injunction Order (the “Default Judgment and Permanent Injunction”), directing, *inter alia*, that certain websites (defined therein as the “Infringing Miss Me Websites”) registered and/or operated containing certain federally registered trademarks and service marks owned by Plaintiff (defined therein as the “Sweet People Marks”) be disabled, and that the domain name registrations associated with the Infringing Miss Me Websites be deactivated and transferred to Plaintiff; and

WHEREAS, Plaintiff having now moved to supplement the Default Judgment and Permanent Injunction and having shown the following:

1. Plaintiff has discovered a new website (the “Newly Detected Infringing Website”) registered and/or operated containing the Sweet People Marks or marks confusingly similar thereto and/or used in conjunction with the sale of counterfeit or infringing products;
2. Plaintiff will continue to suffer irreparable harm without the entry of this supplemental order to disable, deactivate and transfer the domain names associated with the Newly Detected Infringing Website (the “Supplemental Order”).

**THEREFORE, IT IS HEREBY ORDERED THAT:**

1. The Newly Detected Infringing Website listed in Exhibit 1 to this Supplemental Order is hereby recognized to be a “Newly Detected Infringing Website” as that term is defined in Paragraph D of the Court’s Default Judgment and Permanent Injunction; and
2. All provisions of the Court’s Default Judgment and Permanent Injunction shall apply to the Newly Detected Infringing Website listed in Exhibit 1 to this Supplemental Order, including, in particular, the provisions set forth in Paragraphs A-E thereof.

AND IT IS FURTHER ORDERED that, except as modified herein, all provisions of the Court's Default Judgment and Permanent Injunction shall remain in full force and effect; and

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over the parties and the subject matter of this litigation for the purpose of interpretation and enforcement of this Supplemental Order.

SO ORDERED:

SIGNED this 7 day of Aug 2013

  
THE HONORABLE SHIRA A. SCHEINDLIN

## **Exhibit 1**

### **Newly Detected Infringing Website**

1. [www.missmejeansoutlet.us](http://www.missmejeansoutlet.us)